

COMMONWEALTH OF KENTUCKY  
OLDHAM COUNTY  
ORDINANCE NO. KOC 19-920-11

\*\*\*\*\*

AN ORDINANCE REPEALING AND REPLACING CERTAIN SECTIONS OF THE EXISTING OLDHAM COUNTY COMPREHENSIVE ZONING ORDINANCE.

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WHEREAS, the Oldham County Fiscal Court has the authority pursuant to the provisions of KRS Chapters 67, 100, and other applicable law to adopt and amend ordinances; and,

WHEREAS, Oldham County Fiscal Court did advertise and conduct a public hearing on the recommended Oldham County Comprehensive Zoning Ordinance changes attached hereto, and the said Fiscal Court having voted to adopt said revisions to sections at its regular meeting conducted September 17, 2019:

**Affected Sections:**

**Zoning Ordinance:**

Section 020-030 AG-1 Agricultural/Residential District Property Dev. Regulations Conditional Uses

Section 250-320 Brewpubs & Barrel Warehouses

Section 260-460 Conditional Use Standards-Barrel Warehouses

Section 290-150 Signs along Scenic Corridors

NOW, THEREFORE, BE IT ORDAINED BY THE FISCAL COURT OF THE COUNTY OF OLDHAM,  
COMMONWEALTH OF KENTUCKY, THAT:

1) The attached language is to replace, amend or add the Sections and Divisions described above of the Oldham County Zoning Ordinance and Subdivision Regulations adopted by ordinance KOC 06-920-473, passed 12-19-2006; Ord. KOC 08-920-787, passed 10-21-2008; Ord. KOC 10-920-900, passed - -2010; Ord. KOC 10-920-873, passed 6-1-2010; Ord. KOC 11-920-054, passed 5-

17-2011; Ord. KOC-16-920-345, passed 09-06-2016; Ord KOC-18-920-447, passed 03-20-2018; Ord KOC-19-920-549, passed 08-06-2019).

This ordinance shall become effective upon its passage and advertisement according to law.

Dated this 17 day of Sept, 2019.

A handwritten signature in blue ink, reading "David Voegele", written over a horizontal line.

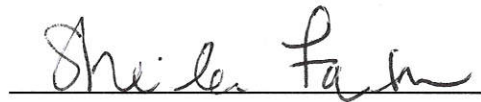
DAVID VOEGELE

Oldham County Judge/Executive

First Reading: 8-30-19

Second Reading: 9-17-19

ATTEST:

A handwritten signature in black ink, reading "Sheila Faeher", written over a horizontal line.

SHEILA FAEHR

Oldham County Fiscal Court Clerk

## **Distilleries & Barrel Warehouses**

### **Division 25 AG-2 Agricultural Business District**

The intent of the Agricultural Business District AG-2 is to provide areas for agricultural development to allow the means of earning supplemental income that can help preserve and sustain local farms and contribute to the economic base in rural areas of Oldham County.

This section outlines the regulations that would be put in place to allow a distillery, craft distillery, brewery, microbrewery and barrel warehouses as a PERMITTED use in the AG-2 Agricultural Business District. This would require a zoning change. The proposed plan would be reviewed by Technical Review Committee and then by the Planning Commission for a recommendation of approval or denial to the legislative body. The legislative body (Fiscal Court, Crestwood, LaGrange or Pewee Valley) would approve or deny the zoning change request. Approval/denial time 7 to 9 months.

Distillery, Craft Distillery, Brewery Microbrewery, and Barrel Warehouses will be a permitted use in I-1 & I-2.

Brewpubs would be a permitted use in C-1, C-2, C-3, C-4, I-1 and IPD. All of these zoning classifications allow eating establishments and retail & personal service establishments.

### **Distillery and Brewery**

#### **Division 250 Special Provisions**

**Section 250-300 Distilleries, Craft Distilleries Breweries, Microbreweries** If located in AG-2 Agricultural Business District the following provisions apply:

1. At least twenty-five percent (25%) of the property shall be dedicated to agricultural uses as defined in KRS Chapter 100 and/or preserved as a conservation area.
2. The maximum allowed building height shall be 60 feet.
3. All structures or uses, except agricultural, shall have front, rear and side yard setback of not less than 500 feet.
4. No owner or operator shall construct or operate a facility with noxious emissions unless it is equipped with and utilizes best available control technology (BACT) as regulated by Kentucky Division of Air Quality and determined at the time of the construction permit review.
5. Facility tours, visitor centers, food service operations, restaurant, and the sale of products produced on site and complementary products directly to consumers are permitted.
6. Festivals or similar public gatherings which serve to promote the sale of locally-produced products are permitted, provided any single event shall not exceed fifty-six (56) continuous hours in length.

7. Development Plan Approval: Prior to issuance of a building permit for any structure, the applicant shall submit a development plan for review by the Planning Commission and Legislative Body. The contents of the plan shall include all items set forth in Division 390 Site Plan Regulations.
8. A Traffic Impact Study prepared in accordance with Section 270-040 Roadway Capacity Standards shall be required.
9. A landscape plan and lighting plan is required when the property is adjacent to residential use.

If located in I-1 Light Industrial District or 1-2 Heavy Industrial District the following provisions apply:

1. All structures shall have front, rear and side yard setback of not less than 100 feet. When a distillery or brewery is adjacent to residential use the setback shall be 200 feet along property the line abutting residential use.
2. No owner or operator shall construct or operate a facility with noxious emissions unless it is equipped with and utilizes best available control technology (BACT) as regulated by Kentucky Division of Air Quality and determined at the time of the construction permit review.
3. Facility tours, visitor centers, food service operations, restaurant, and the sale of products produced on site and complementary products directly to consumers are permitted.
4. Festivals or similar public gatherings which serve to promote the sale of locally-produced products are permitted, provided any single event shall not exceed fifty-six (56) continuous hours in length.
5. Development Plan Approval: Prior to issuance of a building permit for any structure, the applicant shall submit a development plan for review by the Planning Commission and Legislative Body. The contents of the plan shall include all items set forth in Division 390 Site Plan Regulations.
6. A Traffic Impact Study prepared in accordance with Section 270-040 Roadway Capacity Standards shall be required.
7. A landscape plan and lighting plan is required.

## **Brewpubs**

### **Division 250-310 Brewpubs**

1. At minimum, 50% of the beer or malt beverage made on premise must be sold or consumed on site.
2. Shall be a permitted use in C-1 Local Business District, C-2 Community Business District, C-3 General Business District, C-4 Highway Service District, I-1 Light Industrial, IPD Industrial Park District.
3. Parking requirements shall be the same as restaurants as listed in Division 280 Off-Street Parking & Loading Regulations.

## **Barrel Warehouses**

### **Division 250-320 Barrel Warehouses**

If located in AG-2 Agricultural Business District the following provisions apply:

1. Barrel warehouses shall only be permitted when associated with a distillery operation located on the same tract of land which is open for tours a minimum of four (4) days per week with one day being a weekend.
2. Maximum size of warehouse cannot exceed the following:  
Barrels per Warehouse = Annual Production (X) 5 years
- ~~1.3.~~ At least twenty-five percent (25%) of the property shall be dedicated to agricultural uses as defined in KRS Chapter 100 and/or preserved as a conservation area.
- ~~2.4.~~ No owner or operator shall construct or operate a facility with noxious emissions unless it is equipped with and utilizes best available control technology (BACT) as regulated by Kentucky Division of Air Quality and determined at the time of the construction permit review.
- ~~3.5.~~ The maximum allowed building height shall be 60 feet.
- ~~4.6.~~ All structures or uses, except agricultural, shall have front, rear and side yard setback of not less than 500 feet.

If located in I-1 Light Industrial District or 1-2 Heavy Industrial District the following provisions apply:

1. No owner or operator shall construct or operate a facility with noxious emissions unless it is equipped with and utilizes best available control technology (BACT) as regulated by Kentucky Division of Air Quality and determined at the time of the construction permit review.
2. The maximum allowed building height shall be 60 feet.
3. All structures shall have front, rear and side yard setback of not less than 250 feet.
4. When a barrel warehouse is adjacent to residential use the setback shall be 500 feet along the property line abutting residential use.

### **~~Section 260-460 Conditional Use Standards (if located in AG-1 district only)~~**

#### **~~Barrel Warehouses:~~**

- ~~1. At least twenty-five percent (25%) of the property shall be dedicated to agricultural uses as defined in KRS Chapter 100 and/or preserved as a conservation area.~~
- ~~2. No owner or operator shall construct or operate a facility with noxious emissions unless it is equipped with and utilizes best available control technology (BACT) as regulated by Kentucky Division of Air Quality and determined at the time of the construction permit review.~~
- ~~3. The maximum allowed building height shall be 60 feet.~~
- ~~4. All structures shall have front, rear and side yard setback of not less than 500 feet.~~



## **Sec. 290-150 Signs along Scenic Corridors**

Scenic Corridors Designated: The following road segments in Oldham County are designated as Scenic Corridors and have associated signage requirements:

### **1. Interstate 71 Corridor**

For the purpose of this sign regulation, the Interstate 71 Corridor shall be defined as shown below. (A map showing the boundary of the Interstate 71 Corridor is available at the Planning and Zoning Office).

Signs located along the Interstate 71 corridor, shall meet the following design standards in addition to the standards in the zoning district in which the sign is located:

- a. No billboards shall be located within fifteen hundred (1,500) feet of the center of the nearest travel lane of Interstate 71. A billboard, also known as an off-premise sign, is defined as a sign that directs attention to a business, commodity, service, or entertainment conducted, sold or offered at a location other than the premise on which the sign is located. Billboards are not allowed in the city of LaGrange.
- b. No roof signs shall be located within six hundred sixty (660) feet of the center of the nearest travel lane of Interstate 71. Roof signs are not allowed in the city of LaGrange.
- c. No free-standing signs, ~~or~~ banners or wall signs shall be located within three hundred (300) feet of the center of the nearest travel lane of Interstate 71.
- d. No free-standing signs shall exceed eighty (80) square feet in area on one side and one hundred sixty (160) square feet in area on all sides when located between three hundred (300) and six hundred sixty (660) feet of the center of the nearest travel lane of Interstate 71.
- e. No signs located within fifteen hundred (1,500) feet of the center of the nearest travel lane of Interstate 71 may be constructed or installed prior to being reviewed and approved by the Kentucky Transportation Cabinet.